

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CLARISSE SWEAT

Plaintiff

v.

JOE SHELTON,

Defendant

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Case No. 3:10-cv-0589

JUDGE SHARP

MAGISTRATE JUDGE KNOWLES

**DEFENDANT JOE SHELTON'S MOTION *IN LIMINE* NO. 4
REGARDING DEFENDANT'S DISCIPLINARY HISTORY OR HISTORY OF BEING
INVOLVED IN PRIOR SHOOTINGS**

Defendant Shelton moves the Court *in limine* to prohibit any reference at trial to Defendant Shelton's disciplinary history with the Metropolitan Nashville Police Department, or his history of being involved in prior police-related shootings. The Metropolitan Government is not a party to this lawsuit, so the only significant constitutional issue is whether Defendant acted in an objectively reasonable manner during his encounter with Plaintiff's decedent. Under Rule 404 of the Federal Rules of Evidence, his disciplinary history is inadmissible to prove his character "in order to show action in conformity therewith."

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that I have forwarded a copy of this document via the Court's electronic filing system to the following persons on July 9, 2012.

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